

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of People Scrutiny Committee

Date: Tuesday, 26th January, 2016

Place: Committee Room 1 - Civic Suite

Present: Councillor Salter (Chair)
Councillors M Assenheim, B Ayling, M L Borton, S Buckley, M Butler, Cox*, T Callaghan*, A Crystall, M W Davidson, C J Endersby N J Folkard, M Flewitt*, D C McGlone, C J Nevin, K R Robinson and M Stafford
M Rickett, A Semmence and J Cooke (co-opted members)
*Substitute in accordance with Council Procedure Rule 31.

Councillors Jones, Moyies, Terry and Woodley (Executive Councillors)
R Tinlin, S Leftley, F Abbott, D Simon, Dr Atherton, J Chesterton, B Martin, S Houlden, J O'Loughlin, J Lansley, H Tomlinson, A Keating and S Ford
Youth Council observer – I Genius

Start/End Time: 6.30 - 9.30 pm

590 Apologies for Absence

Apologies for absence were received from Councillor L Davies (substitute Cllr Callaghan), Councillor I Robertson (substitute Cllr Flewitt) and Councillor Hadley (substitute Cllr Cox) and Mr P Chisnell (co-opted member).

On behalf of the Committee the Chairman welcomed the Council's Head of Learning, Mr Brin Martin to the meeting.

591 Declarations of Interest

The following interests were declared at the meeting:-

- (a) Councillors Jones, Moyies, Terry and Woodley (Executive Councillors) – interest in the referred/called-in items; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011.
- (b) Councillor Salter – agenda item relating to CCG update - non-pecuniary - husband is Business Unit Director at Southend Hospital for surgical services including oral surgery - urology;
- (c) Councillor Nevin – agenda item relating to Notice of Motion HIV – non-pecuniary - niece works at Public Health England;
- (d) Councillor Nevin – agenda item relating to CCG update - non-pecuniary – employee in NHS Trust external to this area; previous employee at Southend Hospital;
- (e) Councillor Crystall - agenda item relating to MPR - non-pecuniary – discharge from Hospital;
- (f) Councillor Crystall - agenda item relating to CCG update - non-pecuniary - Partner Governor at Southend Hospital;

- (g) I Genius - agenda item relating to CCG update - non-pecuniary – member of Southend CCG patient steering group;
- (h) Councillor Robinson - agenda items relating to – CCG update; LATC; Annual Safeguarding - non-pecuniary – NHS employee of Trust in Southend outside scope of committee business;
- (i) Councillor Robinson – agenda item relating to Annual Safeguarding - non-pecuniary – employer provided a statement at section 7;
- (j) M Rickett – agenda item relating to Schools Progress - non-pecuniary - Parent Governor at school mentioned in report;
- (k) J Cooke - agenda item relating to Schools Progress – non-pecuniary - daughter attends school mentioned in report;
- (l) J Cooke – agenda item relating to Draft General Fund Revenue Budget - non-pecuniary – Manager of Healthwatch Service, mentioned in Appendix 12;
- (m) Councillor Davidson - agenda item relating to Draft General Fund Revenue Budget - non-pecuniary - volunteer for Healthwatch Southend;
- (n) Councillor Jones - agenda item relating to Schools Progress – non-pecuniary – child in secondary school cohort in 2015;
- (o) Councillor Folkard - agenda item relating to CCG update – non-pecuniary - ambassador for fundraising team at Southend Hospital; on reading panel at Southend Hospital for information leaflets;
- (p) Councillor Flewitt – agenda item relating to Notice of Motion HIV – non-pecuniary – lobby for THT and worked with Halve-It Charity;
- (q) Councillor Flewitt – agenda item relating to LATC – non-pecuniary – employers acted as legal advisors to consultants;
- (r) Councillor Flewitt – agenda item relating to AR on safeguarding – non-pecuniary – sits as a JP in east London area;
- (s) Councillor Flewitt – agenda item relating to LATC – non-pecuniary – SEH mentioned during discussion – friends and relatives tenants of SEH;
- (t) Councillor Assenheim – agenda item relating to LATC – Board member South Essex Homes - attended pursuant to the dispensation agreed by the Standards Committee on 19th February 2015, under S.33 of the Localism Act 2011 to participate in the debate and vote;
- (u) Councillor Terry – agenda item relating to MPR item CP 3.5 – non-pecuniary – ticket holder SUFC.

592 Questions from Members of the Public

There were no questions from members of the public.

593 Minutes of the Meeting held on 1st December 2015

Resolved:-

That the Minutes of the Meeting held on 1st December 2015 be confirmed as a correct record and signed.

Note – the item relating to the HIV Notice of Motion (Minute 442 refers) was amended at Council on 10th December 2015 (Minute 489 refers).

594 Corporate Performance Management 2016/17

The Committee considered Minute 557 of Cabinet held on 19th January 2016, which had been referred direct by Cabinet, together with a report of the Chief

Executive on the Council's corporate approach to performance management for 2016/17.

With regard to the Corporate Priority Actions for 2016/17, set out in Appendix 2, the Corporate Director for People said that he is happy to report back to the Scrutiny Committee on progress on the establishment of the multi agency risk assessment team (action 6).

Resolved:-

That the following decisions of Cabinet be noted:

“(i) That the corporate performance measures to be monitored via the Monthly Performance Report (MPR) for 2016/17, as set out at Appendix 1 to the submitted report, be approved.

(ii) That the corporate priority actions, to support implementation of the Council's 2016/17 Corporate Priorities, as set out at Appendix 2 to the report, be approved.”

Note:- This is an Executive Function.

Executive Councillor:- Woodley

595 Draft Capital Programme 2016/17 to 2019/20

The Committee considered Minute 560 of Cabinet held on 19th January 2016, which had been referred direct by Cabinet, together with a report of the Corporate Management Team setting out the draft programme of capital projects for the period 2016/17 to 2019/20.

Resolved:-

That the following decisions of Cabinet be noted:

“1. That the current approved Programme for 2016/17 to 2018/19 of £129.6m, as set out in Appendix 1 to the submitted report, be noted.

2. That the changes to the approved Programme as set out in Appendix 2 to the report, be noted.

3. That the proposed new schemes and additions to the Capital Programme for the period 2016/17 to 2019/20 totalling £52.7m of which £44.7m is for the General Fund and £8.0m for the Housing Revenue Account, as set out in Appendices 6 and 7 to the report, be endorsed.

4. That it be noted that the proposed new schemes and additions, as set out in Appendices 6 and 7 to the report, and other adjustments, as set out in Appendix 2 to the report, will result in a proposed capital programme of £177.6m for 2016/17 to 2019/20.

5. That it be noted that, of the total programme of £177.6m for the period 2016/17 to 2019/20, the level of external funding supporting this programme is £59.9m.

6. That it be noted that a final review is being undertaken on the 2015/16 projected outturn and that the results will be included in the report to Cabinet on 11 February 2016.”

Note:- This is an Executive Function, save the approval of the final budget following Cabinet on 11th February 2016 is a Council Function.

Executive Councillor:- Woodley

596 Draft Fees & Charges 2016/17

The Committee considered Minute 561 of Cabinet held on 19th January 2016, which had been referred direct by Cabinet, together with a report of the Corporate Management Team detailing the fees and charges for services in 2016/17 included in the budget proposals for 2016/17.

In response to questions from the Committee about the proposed fees and charges set out in Appendix 1 for the Department for People, the Corporate Director for People said that:-

(a) with regard to the meals on wheels service – will provide information on numbers currently taking up the service;

(b) with regard to transport service – confirmed that the proposed charge is £2.05 whilst the review is undertaken on how best to deliver the service in future;

(c) with regard to the charge for adult long stay residential care per week – will clarify position with regard to national guidance.

Resolved:-

That the following decision of Cabinet be noted:

“That the proposed fees and charges for each Department as set out in the submitted report and appendices, be endorsed.”

Note:- This is an Executive Function, save the approval of the final budget following Cabinet on 11th February 2016 is a Council Function.

Executive Councillor:- Woodley

597 Draft General Fund Revenue Budget 2016/17

The Committee considered Minute 562 of Cabinet held on 19th January 2016, which had been referred direct by Cabinet, together with a report of the Corporate Management Team presenting the draft revenue budget for 2016/17.

In response to a question regarding the figures in the Adult Social Care & Health portfolio section of Appendix 1, the Council’s Head of Finance & Resources said that he would clarify the figures.

Resolved:-

That the following decisions of Cabinet be noted:

“1. That the 2016/17 draft revenue budget and any required commencement of consultation, statutory or otherwise, be endorsed.”

2. That it be noted that the 2016/17 draft revenue budget has been prepared on the basis of a Council Tax increase of 1.99% and a new Adult Social Care precept of 2%.

3. That it be noted that the 2016/17 draft revenue budget has been prepared using the provisional local government finance settlement and that the outcome from the final settlement will need to be factored into the final budget proposals for the Cabinet and Council.

4. That the 2016/17 draft revenue budget, as endorsed, be referred to all Scrutiny Committees, Business sector and Voluntary sector to inform Cabinet, which will then recommend the budget and Council Tax to Council.

5. That the Schools budget position and the recommendations from the Schools Forum on 13th January 2016, as set out in Appendix 13 and 13(i) to the submitted report, be noted and referred to People Scrutiny Committee and then to Cabinet and Council.

6. That the direction of travel for 2017/18 and beyond, as set out in section 15 of the report, be endorsed.”

Note:- This is an Executive Function, save the approval of the final budget following Cabinet on 11th February 2016 is a Council Function.

Executive Councillor:- Woodley.

598 Monthly Performance Report

The Committee considered Minute 528 of Cabinet held on 5th January 2016, together with the Monthly Performance Report (MPR) covering the period to end November 2015, which had been circulated recently. The Committee additionally had before it an Exceptions Report which had been circulated on 22nd January 2016.

In response to questions on CP 1.3, the Executive Councillor for Children & Learning said that she would be happy to circulate the information provided to a recent meeting of the Corporate Parenting Group.

Resolved:

That the report be noted.

Note:- This is an Executive Function.

Executive Councillor:- As appropriate to the item.

599 Reference back from Council, 10th December 2015 - Notice of Motion - HIV Testing

The Committee considered Minute 527 of Cabinet held on 5th January 2016, which had been called in to scrutiny, together with a report of the Director of Public Health. This concerned the Notice of Motion in relation to HIV testing which had been referred back to Cabinet at the Council meeting held on 10th December 2015 (Minute 489 refers).

Resolved:

That the matter be referred back to Cabinet for reconsideration as the report did not fully reflect the general will expressed at the Council meeting on 10th December 2015.

Note:- This is an Executive Function.
Executive Councillor:- Cllr Moyies

600 Children's Services Peer Review

The Committee considered Minute 533 of Cabinet held on 5th January 2016, which had been called in to scrutiny, together with a report of the Corporate Director for People on the outcome of the Children's Services Peer Review.

Resolved:-

That the following decisions of Cabinet be noted:

"1. That the Regional Peer Review Outcome letter, as set out at Appendix A to the submitted report, be noted.

2. That the Children's Services Action Plan, as set out at Appendix B to the submitted report, be approved."

Note:- This is an Executive Function.
Executive Councillor:- Cllr Jones

601 Annual Report on Safeguarding Children and Adults

The Committee considered Minute 536 of Cabinet held on 5th January 2016, which had been called in to scrutiny, together with a report of the Corporate Director for People providing an annual assurance assessment in respect of the Council's responsibilities for safeguarding children and adults in Southend.

Resolved:-

1. That the following decisions of Cabinet be noted:

"That the submitted report be noted and that the actions detailed in paragraph 3.8 of the submitted report, be approved."

2. That the independent Chair of the LSCB and SAB, Chris Doorly, be invited to give an all member presentation."

Note:- This is an Executive Function.
Executive Councillors:- Cllr Jones and Cllr Moyies

602 School Admissions Arrangements for Community Schools 2017/18

The Committee considered Minute 537 of Cabinet held on 5th January 2016, which had been called in to scrutiny, together with a report of the Corporate Director for

People on the proposed published admissions numbers for community schools for 2017/18.

Resolved:-

That the following decision of Cabinet be noted:

“That the published admission numbers for community schools for 2017/18, as set out in Appendix 1 to the submitted report, be approved.”

Note:- This is an Executive Function.

Executive Councillor:- Cllr Jones

603 Urgent Care Services Review - update

The Committee considered a report from NHS Southend CCG which provided an update on two aspects of the CCG's work: progress on the GP services at St Luke's health centre and the development of a new service co-located with A&E at Southend Hospital.

In response to a question from Cllr Nevin, the Council's Scrutiny Officer agreed to approach NHS England information on other bids made for the GP service contract.

Resolved:-

That the report be noted.

Note:- This is a Scrutiny Function.

604 In depth scrutiny project - Transition arrangements from children's to adult services

Further to Minute 445 of the meeting held on 1st December 2015, the Committee received and noted an oral update on the in depth scrutiny project – 'Transition arrangements from children's to adult services'.

The evidence gathering session with invited witnesses will be held on 24th February 2016 which other members of the Scrutiny Committee are welcome to attend if they wish.

Resolved:-

That update be noted.

Note:- This is a Scrutiny Function.

605 Exclusion of the Public

Resolved:-

That, under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the items of business set out below, on the grounds that they would involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A to the Act and that the public interest in maintaining the

exemption outweighs the public interest in disclosing the information.

606 Establishment of a Local Authority Trading Company for Adult Social Care and site feasibility study for Delaware, Priory and Viking

The Committee considered Minute 564 of Cabinet held on 19th January 2016, which had been referred direct by Cabinet, together with a report of the Corporate Director for People on the above.

In response to a question, the Council's Head of Adult Services and Housing said that she would provide information on the number of dementia care beds lost.

In response to a question, the Executive Councillor for Health & Adult Social Care agreed to provide information on the costs of engaging the consultants identified in the report. With regard to the LATC high level implementation plan in Appendix 2 to the report, the Executive Councillor confirmed that he would report back on implementation and the proposed governance arrangements.

Resolved:-

That the following decisions of Cabinet be noted:

“1. That it be noted that the Financial Feasibility Study, as set out in Appendix 1 to the submitted report, has found that the delivery of the services (as set out in section 4.1.2 of the report) through a Local Authority Trading Company (LATC) is the most viable option.

2. That the incorporation of the LATC as a company limited by shares be approved.

3. That a fully costed proposal be developed for the creation of new care facilities on the Priory site to be operated by the LATC, including full details of funding and financing implications, given that the independent Site Feasibility Study, as set out in Appendix 4 of the report, has established there is a clear Business Case.

4. That the Business Case for the LATC together with the draft Business Plan (as set out in the report and Appendices 1-3) be approved and that the Head of Finance & Resources, in consultation with Corporate Director for People and the Executive Councillor for Health & Adult Social Care, be authorised to approve the LATC's final Business Plan.

5. That all necessary consultations with service users, carers etc, be undertaken in connection with the proposal that the LATC should take over and carry out all those services currently provided in-house as set out in section 4.1.2 of the report.

6. That all necessary consultations with existing staff and trade unions be undertaken in connection with the TUPE transfer involved.

7. That the Corporate Director for People, in consultation with the Executive Councillor for Health & Adult Social Care, be authorised to consider responses to the consultation undertaken (referred to in 5 and 6 above) and to make such amendment to the proposals (including if appropriate withdrawing them) to change the delivery of the services.

8. That subject to 7 above, the Corporate Director for People, in consultation with the Executive Councillor for Health & Adult Social Care, be authorised to finalise arrangements between the Council and the LATC to enable the LATC to carry out all those services currently provided in-house (as set out in section 4.1.2 of the report) and to authorise them to approve, in consultation with the Head of Legal & Democratic Services and Head of Finance & Resources, the terms of any such contract for services, shareholder's agreement, funding agreement and leases or licences for Delaware House, Priory House and the Viking Day Centre (between the Council and the LATC) as may be necessary to give effect to such arrangements.

9. That subject to 7 and 8 above, the financial support package for the LATC as set out in section 4.1.10 of the report, be approved and to note that this will be repaid by the LATC.

10. That the Site Feasibility Study as set out in Appendix 4 of the report, which has demonstrated the feasibility of developing a dedicated dementia facility and the re-provision of a learning disability day centre on the Priory House site, be noted and that officers be requested to develop fully costed proposals for submission to Cabinet later in the year.”

Note:- This is an Executive Function.
Executive Councillor:- Moyies

607 Schools Progress Report

The Committee received and considered a report of the Corporate Director for People which informed the Committee on the current position with regard to schools causing concern and also Academy developments.

Resolved:-

That the report be noted.

Note:- This is an Executive Function.
Executive Councillor:- Jones

Chairman: _____